

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Ralph Costagliola

Chapter 11

Case No. 1-21-42417-ess

Debtor.

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ORDER SCHEDULING INITIAL CASE MANAGEMENT CONFERENCE

Ralph Costagliola (the "Debtor") having filed a petition for reorganization under chapter 11 of the Bankruptcy Code on September 27, 2021, and the Court having determined that a Case Management Conference will aid in the efficient conduct and proper administration of the case, it is

ORDERED, pursuant to 11 U.S.C. § 105(d), that a Case Management Conference will be conducted by the undersigned Bankruptcy Judge in Courtroom 3585, United States Bankruptcy Court, 271-C Cadman Plaza East, Brooklyn, New York 11201-1800, on November 12, 2021 at 10:30 a.m., and it is further

ORDERED, that the Debtor, or an authorized representative of the Debtor, and counsel for the Debtor, shall be present at this Case Management Conference and shall be prepared to discuss, as applicable, at the Court's direction, the following matters:

1. the nature of the Debtor's business and the reason for the chapter 11 filing;
2. the Debtor's current financial condition, including post-petition operations and revenue;
3. debtor-in-possession financing;
4. the use of cash collateral;
5. any significant motions which the debtor anticipates bringing before the Court including, but not limited to, sale motions;
6. matters relating to the retention of professionals (including any brokers or appraisers);
7. the status of any litigation involving the Debtor;
8. the status of the Debtor's insurance;
9. deadlines for the filing of claims and a plan and disclosure statement;
10. the use of alternative dispute resolution, if appropriate;
11. if this is a single asset real estate case, whether the Debtor intends to file a plan within the time allotted pursuant to § 362(d)(3), or whether the Debtor intends to commence adequate protection payments;
12. if this is a small business case, whether the Debtor anticipates being able to satisfy the deadlines provided by § 1121(e);
13. if this is an individual case, all issues unique to individual chapter 11 cases;
14. the scheduling of additional Case Management Conferences; and
15. any other case administrative matters, and it is further

ORDERED, that the Debtor shall file with the Court, and serve upon the Office of the United States Trustee, monthly operating reports during the pendency of this case; that the operating reports shall be in the form prescribed by the Office of the United States Trustee's Operating Guidelines and Reporting Requirements for Debtor-in-Possession and Trustees for cases pending in this District; and that the operating reports shall be served and filed on or before the 20th day of the month following the reporting period, and it is further

ORDERED, that unexcused failure to attend any Case Management Conference or to file timely monthly operating reports in compliance with this Order may constitute cause for conversion of this case to chapter 7 or dismissal of this case pursuant to 11 U.S.C. § 1112, and it is further

ORDERED, that this hearing will be conducted telephonically. It is not necessary to request prior authorization to appear telephonically. All participants, including attorneys, clients, and pro se parties, may appear telephonically as follows:

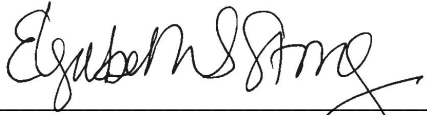
Please e-mail Judge Stong's Courtroom Deputy at ess_hearings@nyeb.uscourts.gov at least one business day before the scheduled hearing to identify the individuals that will appear and to provide an e-mail address where each may be reached. All attorneys must also identify the party that the attorney represents.

Please call in at the time at which your hearing is scheduled, to avoid missing the call of your case. Note that, depending on where your case is on the calendar, you may have to wait for a time with your phone on mute until your case is called. Below are the instructions to dial in for the telephonic appearance:

- 1. Dial in Number 888-808-6929**
- 2. Access Code – 8523285#**
- 3. State your name each time before speaking**
- 4. Avoid the use of a speaker phone, and use a landline if possible**
- 5. If you are not speaking, keep your phone on mute.**

**Dated: Brooklyn, New York
September 30, 2021**




Elizabeth S. Stong
United States Bankruptcy Judge